

**REMARKS**

Claims 1, 6, 9, 12, 15-19, 22, 25, 28, 29, 32, 35, 36, 39, 42, 43, 46 and 49 are pending in this application. Claims 1 and 15-18 are independent claims. By this Amendment, claims 1 and 15-18 are amended. No new matter is added.

**Information Disclosure Statements**

Applicants again respectfully request acknowledgement of receipt and consideration of the references submitted with the Information Disclosure Statement filed on July 29, 2008 or reasons why the receipt and consideration of the references are not being acknowledged.

**Interview**

An interview was conducted on May 6, 2009 between Examiner Choi and Applicants' representative. During the interview the subject matter of the present application was reviewed. The Examiner's allegation that US Patent Application Publication 2001/0046371 to Ando discloses "a playlist area storing at least one playlist file, the playlist file including at least one playitem and at least one sub-playitem, the at least one playitem indicating an in-point and an out-point that point to positions on a time axis of the first stream file for reproducing the at least one still image, the at least one sub-playitem indicating an in-point and an out-point that point to positions on a time axis of the second stream file for reproducing the audio data" was then discussed

Applicants' representative explained that Ando fails to disclose or suggest a playitem and a sub-playitem that indicate an in-point and an out-point for reproducing still image data and audio data, respectively, and instead merely discloses link information that requires an audio track to be reproduced to reproduce image data. The Examiner indicated that he had not reviewed Ando in light of such a feature and agreed to consider the argument upon receipt of a formal reply to the outstanding Office Action. The claim amendments provided herein reflect the claim amendments discussed during the interview.

**Claim Rejections under 35 U.S.C. § 103**

Claims 1, 6, 9, 12, 15-19, 22, 23, 25, 28, 29, 32, 35, 36, 39, 42, 43, 46 and 49 stand rejected under 35 U.S.C. §102(e) as being unpatentable over U.S. Patent 6,385,389 to Maruyama, et al. (Maruyama) in view of U.S. Patent Application 2001/0046371 to Ando, et al. (Ando). The rejection is respectfully traversed.

It is admitted in the Office Action that Maruyama fails to disclose or suggest at least one playitem and at least one sub-playitem, the at least one playitem indicating an in-point and an out-point that point to positions on a time axis of the first stream file for reproducing the at least one still image, the at least one sub-playitem indicating an in-point and an out-point that point to positions on a time axis of the second stream file for reproducing the audio data.

In an effort to overcome the admitted deficiency of Maruyama, it is alleged that it would have been obvious to one of ordinary skill in the art at the time of the invention to modify Maruyama according to the teachings of Ando.

As discussed during the interview, Ando fails to disclose or suggest a playitem and a sub-playitem indicating an in-point and an out-point for reproducing a still image and audio data, respectively. Rather, in Ando, the still picture and audio entry points are link information and not independent presentation information. In other words, to reproduce still images in Ando, the audio track or the audio data must be reproduced. When the audio track is reproduced the still picture entry point provides information that indicates a link point of the still picture for reproducing the still picture with the audio data. Thus, if the audio track is not reproduced, the still picture is not reproduced because the still picture entry point depends on cell information for reproducing audio data. Therefore, Ando fails to disclose or suggest the features as alleged in the Office Action.

Moreover, for the reasons discussed above, the combination of references fails to disclose or suggest that “the audio data being managed by the sub-playitem is reproduced independently from the at least one still image being managed by the playitem,” as recited in the amended claims.

In view of the above, Applicants respectfully request the rejections be withdrawn.

**CONCLUSION**

Accordingly, in view of the above amendments and remarks, reconsideration of the objections and rejections and allowance of each of the claims in connection with the present application is earnestly solicited.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Gary D. Yacura at the telephone number of the undersigned below.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

HARNESS, DICKEY, & PIERCE, P.L.C.

By:

  
John W. Fitzpatrick, 41,018

Gary D. Yacura, Reg. No. 35,416

P.O. Box 8910  
Reston, Virginia 20195  
(703) 668-8000

GDY/JWF/kas